

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRAND MARKETING GROUP, LLC, d/b/a  
THERMABLASTER

Plaintiff,

v.

INTERTEK TESTING SERVICES, N.A., INC.,  
d/b/a INTERTEK TESTING SERVICES

Defendant.

Civ. A. No. 12-1572

**AMENDED FINAL JUDGMENT ORDER**

AND NOW, this 4<sup>th</sup> day of June, 2014, the Court Amends the Judgment entered in the above-captioned case on March 7, 2014 (Doc. No. 275) and enters an amended judgment as follows:

By Order dated March 7, 2014, the Court entered Judgment on the jury's verdict in this case in favor of Plaintiff Brand Marketing Group, LLC d/b/a Thermablaster ("Brand") and against Defendant Intertek Testing Services, NA, Inc. ("Intertek").

Intertek filed a Motion for Post-Trial Relief (Doc. No. 287) on April 4, 2014.

By Order dated May 20, 2014 (Doc. No. 302), the Court denied Intertek's Motion for Post-Trial Relief with the exception of Intertek's Unopposed Motion for Equitable Set-Off, which the Court granted.

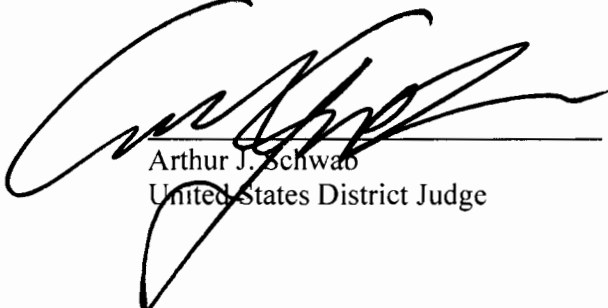
Pursuant to the Court's May 20 Order, the parties have agreed only as to the amount of the setoff to which Defendant Intertek is entitled. The parties have jointly proposed an Amended Final Judgment Order including the agreed-upon setoff amount. The Parties expressly reserve their respective rights of appeal.

THEREFORE, it is hereby **ORDERED** and **ADJUDGED** that:

- 1) The Court's Order dated March 7, 2014 is AMENDED as follows.

- 2) The jury verdict in this matter in favor of Plaintiff, Brand Marketing Group, LLC, and against Defendant Intertek Testing Services NA, Inc. was in the amount of:
  - a. \$725,000.00 – Past Damages
  - b. \$320,000.00 – Future Damages
  - c. \$5,000,000 – Punitive Damages
  - d. Total Amount – \$6,045,000.00
- 3) A setoff of judgment is permitted in favor of Defendant Intertek Testing Services NA, Inc. and against Plaintiff Brand Marketing Group, LLC in the amount of:
  - a. \$611,060.45 – Amount of Judgment
  - b. \$72,292.21 – Post Judgment Interest through the date of the verdict, March 7, 2014
  - c. \$1,447.00 – Costs and Fees
  - d. Total Amount – \$684,799.66
- 4) Accordingly, a net judgment in favor of Plaintiff Brand Marketing Group, LLC is hereby entered in the amount of \$5,360,200.34.
- 5) This Order amends the Judgment entered March 7, 2014 and does not affect the Parties' rights of appeal.
- 6) This amended judgment is entered as a final appealable order within the meaning of 28 U.S.C. § 1291 and Fed. R. Civ. P. 54(a).

**BY THE COURT:**



Arthur J. Schwab  
United States District Judge